



Initial Review: _____
 Updated On: _____
 Complete: _____
 Official Use Only

Coastal Zone Management Act Federal Consistency Form

This document provides the Delaware Coastal Management Program (DCMP) with a Federal Consistency Determination or Certification for activities regulated under the Coastal Zone Management Act of 1972, as amended, and NOAA's Federal Consistency Regulations, 15 C.F.R. Part 930. Federal agencies and other applicants for federal consistency are not required to use this form; it is provided to applicants to facilitate the submission of a Consistency Determination or Consistency Certification. In addition, federal agencies and applicants are only required to provide the information required by NOAA's Federal Consistency Regulations.

Project/Activity Name:	Delaware Air National Guard Fuel Cell and Corrosion Control Hangar
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I. Federal Agency or Non-Federal Applicant Contact Information:

Contact Name/Title: Mr. Alex Rittberg; Environmental Manager

Federal Agency Contractor Name (if applicable): _____

Federal Agency: Delaware Air National Guard 166 Airlift Wing

(either the federal agency proposing an action or the federal agency issuing a federal license/permit or financial assistance to a non-federal applicant)

Mailing Address: 2600 Spruance Drive

City: New Castle

State: DE

Zip Code: 19720

E-mail: Earl.Rittberg@us.af.mil

Telephone #: 302-323-3331

II. Federal Consistency Category:

- | | |
|---|---|
| <p><input checked="" type="radio"/> Federal Activity or Development Project
(15 C.F.R. Part 930, Subpart C)</p> <p><input type="radio"/> Outer Continental Shelf Activity
(15 C.F.R. Part 930, Subpart E)</p> <p><input type="radio"/> Federal Financial Assistance
(15 C.F.R. Part 930, Subpart F)</p> | <p><input type="radio"/> Federal License or Permit Activity
(15 C.F.R. Part 930, Subpart D)</p> <p><input type="radio"/> Federal License or Permit Activity which occurs
wholly in another state (interstate consistency
activities identified in DCMP's Policy document)</p> |
|---|---|

III. Detailed Project Description (attach additional sheets if necessary):

The Delaware Air National Guard will be constructing a new Fuel Cell and Corrosion Control Hangar that will replace existing facilities that no longer are capable of supporting mission needs. The total gross square footage of the building and supporting structures will be 29,171 square feet including dedicated space for the fuel cell maintenance shop, the corrosion control shop, building support areas including fire suppression, and an aircraft hangar large enough to fully contain a C-130 aircraft. The new hangar will be built on a paved area located between the 166 AW Operations building (bldg. 2805) and existing maintenance hangar building 2902.

IV. General Analysis of Coastal Effects (attach additional sheets if necessary):

Construction activities will require a sediment and erosion control plan under DNREC's General Permit Program. The amount of impervious surface is not expected to increase as a result of this project since the area where construction activities are planned is currently paved.

V. Detailed Analysis of Consistency with DCMP Enforceable Policies (attach additional sheets if necessary):**Policy 5.1: Wetlands Management**

There are no wetlands in the proposed area of construction.

Policy 5.2: Beach Management

There are no beach areas associated with this project.

Policy 5.3: Coastal Waters Management (includes wells, water supply, and stormwater management. Attach additional sheets if necessary)

Construction activities associated with the project will disturb greater than 5000 square feet of soil and require a detailed Stormwater and Sediment Control Plan pursuant to the Delaware Sediment and Stormwater Regulations. Water quality control at the site will be managed in accordance with these regulations and the provisions of this policy.

Policy 5.4: Subaqueous Land and Coastal Strip Management

Construction activities will not occur on, over, or under private subaqueous lands. The project is not located within the Coastal Strip of Delaware.

Policy 5.5: Public Lands Management

The project is not on State Public Lands. The land is currently owned by New Castle County and leased to the Delaware River and Bay Authority and the Delaware Air National Guard for use as a national defense installation.

Policy 5.6: Natural Lands Management

The project is not on land designated as a natural preserve.

Policy 5.7: Flood Hazard Areas Management

The project will occur on a parcel that is in an area outside the 0.2 percent annual chance floodplain.

Policy 5.8: Port of Wilmington

The project is not in an area that will impact the Port of Wilmington operations.

Policy 5.9: Woodlands and Agricultural Lands Management

There are no woodlands or agricultural lands associated with this project.

Policy 5.10: Historic and Cultural Areas Management

Review of existing records identified that there are no known prehistoric resources, or cultural resources on the parcel associated with the project. The construction of the new hangar will not involve any historic structures.

Policy 5.11: Living Resources

The construction of the new hangar will not affect flora or fauna in the local area. A survey conducted in 2021 confirmed that there are no state or federally listed threatened or endangered species found on the Delaware Air National Guard property.

Policy 5.12 Mineral Resources Management

There are no anticipated impacts to mineral resources as a result of the project.

Policy 5.13: State Owned Coastal Recreation and Conservation

There are no state owned coastal recreation areas associated with the project.

Policy 5.14: Public Trust Doctrine

There are no streams where the tide ebbs and flows in the project area.

Policy 5.15: Energy Facilities

The project does not involve heavy industry, offshore gas, or liquid or solid bulk transfer facilities.

Policy 5.16: Public Investment

The Delaware Water Pollution Control Revolving Fund (SRF), as authorized by Title VI of the Federal Clean Water Act, will not be used for this project.

The DEANG will fund the construction of this project using Military Construction funds provided by the Department of Defense. State of Delaware funds will not be used for this project.

Policy 5.17: Recreation and Tourism

The project is not recreation or tourism based.

Policy 5.18: National Defense and Aerospace Facilities

This project is necessary for National Defense and is considered a high priority project for the United States Air Force and the Delaware Air National Guard.

Policy 5.19: Transportation Facilities

This project will be coordinated with the Delaware River and Bay Authority who currently manage the New Castle County Airport.

Policy 5.20: Air Quality Management

New Castle County, Delaware is currently classified as non-attainment for Ozone and PM 2.5.

Construction activities will include the use of both heavy machinery and lighter delivery and personal vehicles. Short-term emissions resulting from the construction equipment are generally accounted for in the State Implementation Plan, and are considered minor.

Policy 5.21: Water Supply Management

The construction activities will include extending existing water supply lines to the new hangar for both fire suppression and potable use.

Policy 5.22: Waste Disposal Management

Sewer will be tied in to the installation's existing sanitary sewer lines. All solid and hazardous wastes generated as part of this project will be managed pursuant to federal and state regulations and Delaware Air National Guard policies and procedures. The installation is involved with the Hazardous Substance Cleanup Program and the Delaware Air National Guard will coordinate with DNREC's Site Investigation and Restoration Branch prior to any excavation.

Policy 5.23: Development

The proposed use of the land is consistent with its current zoning of general industrial use.

Policy 5.24: Pollution Prevention

Pollution prevention will be incorporated into construction activities to prevent or reduce pollution at the source whenever feasible. When the generation of wastes and byproducts cannot be prevented by procedure modification or product substitution, then recycling is considered the next alternative. Pollutants that cannot be recycled will be treated and disposed of properly.

Policy 5.25: Coastal Management Coordination

The Delaware Air National Guard will actively coordinate with state and federal agencies such as the National Guard Bureau, the DRBA, and DNREC as needed to make the project successful.

VI. JPP and RAS Review (Check all that apply):

Has the project been reviewed in a monthly Joint Permit Processing and/or Regulatory Advisory Service meeting?

☐ JPP

☐ RAS

☒ None

*If yes, provide the date of the meeting(s): _____

VII. Statement of Certification/Determination and Signature (Check one and sign below):

☒ **FEDERAL AGENCY CONSISTENCY DETERMINATION.** Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity is consistent to the maximum extent practicable with the enforceable policies of the Delaware Coastal Management Program.

OR

☐ **FEDERAL AGENCY NEGATIVE DETERMINATION.** Based upon the information, data, and analysis included herein, the federal agency, or its contracted agent, listed in (I) above, finds that this proposed activity will not have any reasonably foreseeable effects on Delaware's coastal uses or resources (Negative Determination) and is therefore consistent with the enforceable policies of the Delaware Coastal Management Program.

OR

☐ **NON-FEDERAL APPLICANT'S CONSISTENCY CERTIFICATION.** Based upon the information, data, and analysis included herein, the non-federal applicant for a federal license or permit, or state or local government agency applying for federal funding, listed in (I) above, finds that this proposed activity complies with the enforceable policies of the Delaware Coastal Management Program and will be conducted in a manner consistent with such program.

Signature:			
Printed Name:	Mr. Alex Rittberg	Date:	3/1/2022

Pursuant to 15 C.F.R. Part 930, the Delaware Coastal Management Program must provide its concurrence with or objection to this consistency determination or consistency certification in accordance with the deadlines listed below. Concurrence will be presumed if the state's response is not received within the allowable timeframe.

Federal Consistency Review Deadlines:

Federal Activity or Development Project (15 C.F.R. Part 930, Subpart C)	60 days with option to extend an additional 15 days or stay review (15 C.F.R. § 930.41)
Federal License or Permit (15 C.F.R. Part 930, Subpart D)	Six months, with a status letter at three months. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.63)
Outer Continental Shelf Activity (15 C.F.R. Part 930, Subpart E)	Six months, with a status letter at three months. If three month status letter not issued, then concurrence presumed. The six month review period can be stayed by mutual agreement. (15 C.F.R. § 930.78)
Federal Financial Assistance to State or Local Governments (15 C.F.R. Part 930, Subpart F)	State Clearinghouse schedule

OFFICIAL USE ONLY:

Reviewed By:	Fed Con ID:	Date Received:
Public notice dates:	to	Comments Received: <input type="checkbox"/> NO <input type="checkbox"/> YES [attach comments]
Decision type: <small>(objections or conditions attach details)</small>	Decision Date:	

Coastal Zone Management Consistency Form Attachment A

Conceptual Sketch

